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Speech - August 2 - Test Ban Treaty

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radioactive. While it may be theoretically possible to demonstrate the risks inherent in any treaty, and such risks in this treaty are small, the far greater risks to our security are the risks of unrestricted testing, the risk of a nuclear arms race, the risk of new nuclear powers, nuclear pollution, and nuclear war.

NATIONAL DEBATE

This limited test ban, in our most careful judgment, is safer by far for the United States than an unlimited nuclear arms race. For all these reasons, I am hopeful that this Nation will promptly approve the limited test-ban treaty. There will, of course, be debate in the country and in the Senate. The Constitution wisely requires the advice and consent of the Senate to all treaties, and that consultation has already begun. All this is as it should be. A document which may mark a historic and constructive opportunity for the world deserves a historic and constructive debate. It is my hope that all of you will take part in that debate, for this treaty is for all of us. It is particularly for our children and our grandchildren, and they have no lobby here in Washington. This debate will involve military, scientific, and political experts, but it must be not left to them alone. The right and the responsibility are yours.

If we are to open new doorways to peace, if we are to seize this rare opportunity for progress, if we are to be as bold and farsighted in our control of weapons as we have been in their inventions, then let us now show all the world on this side of the wall and the other that a strong America also stands for peace. There is no cause for complacency.

We have learned in times past that the spirit of one moment or place can be gone in the next. We have been disappointed more than once, and we have no illusions now that there are short cuts on the road to peace. At many points around the globe the Communists are continuing their efforts to exploit weakness and poverty. Their concentration of nuclear and conventional arms must still be deterred.

DANGERS REMAIN

The familiar contest between choice and coercion, the familiar places of danger and conflict are still there, in Cuba, in southeast Asia, in Berlin, and all around the globe, still requiring all the strength and the vigilance that we can muster. Nothing could more greatly damage our cause than if we and our allies were to believe that peace has already been achieved and that our strength and unity were no longer required.

But now for the first time in many years the path of peace may be open. No one can be certain what the future will bring. No one can say when the time has come for an easing of the struggle. But history and our own conscience will judge us harsher if we do not now make every effort to test our hopes by action, and this is the place to begin. According to the ancient Chinese proverb, "A journey of a thousand miles must begin with a single step."

My fellow Americans, let us take that first step. Let us, if we can, get back from the shadows of war and seek out the way of peace. And if that journey is 1,000 miles or even more, let history record that we, in this land, at this time, took the first step.

Thank you and good night.

Mr. MANSFIELD. Mr. President, at the present time the Committee on Foreign Relations, the Committee on Armed Services, and the Joint Committee on Atomic Energy are meeting, in informal session, to hear a briefing on the proposed partial test-ban treaty by the Under Secretary of State, the Honorable Averell Harriman, who is accompanied

by Mr. William Foster. At the meeting the questions are both searching and blunt, judging from what I can gather; and I am sure everyone would agree that the proposed agreement was openly arrived at and could be considered an open agreement.

In response to questions, the distinguished Under Secretary of State, Mr. Harriman, stated that there were no gimmicks or side issues attached to the proposal, which shortly will be before the Senate.

In connection with the proposed partial nuclear-test-ban agreement, I ask unanimous consent that there be printed in the RECORD a statement issued by me over the weekend, relative to this most important matter.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR MANSFIELD

The proposed partial test ban agreement represents a breakthrough in the cold war and could, if properly observed by both sides, be the first break in the clouds in many years.

It is a tribute to the persistence, bipartisanship and wisdom, first, of President Eisenhower in 1959 and, then, of President Kennedy and of the many Members of the Senate and Congress as, for example, the distinguished Senator from Tennessee [Mr. GORE], the majority whip [Mr. HUMPHREY], the Senator from Connecticut [Mr. DODD] whose resolution in favor of an agreement along the lines which have been reached is cosponsored by 33 other Senators, members of both parties.

These men recognized the need for an end to above-ground tests—on public health grounds, if no other—and refused to be discouraged in spite of many setbacks and disappointments. They thought in far-sighted terms and in human terms—of this generation and of children yet to be born—American children, Russian children, indeed, all the world's children.

The agreement would not mean a cutback in defense appropriations but a stabilization rather than an increase of those expenditures.

In a sense it is a gamble, but in view of the critical nature of the problem and the fact that we can continue underground testing, it is in my opinion worth the effort. The escape clause protects us in an honorable manner and safeguards rather than weakens our defense. The fact that our chief negotiator was Averell Harriman who has never been taken in by the Soviet Union, ever since he first served as Ambassador to the Soviet Union two decades ago, is an earnest that our rights have been fully protected. The agreement, in my opinion, serves the interests of our country, our people and our security.

If this agreement is approved it does not mean that there will be total or unilateral disarmament either soon or in the future. What this new agreement will give us is more clean milk and water and food for our children, less strontium to pollute the air, and some basis for hoping that future generations will grow up as normal, healthy human beings.

This agreement will, in my opinion, serve the people's interest, give us some time to face up to other differences, and allow more "breathing" space to the end that a better kind of peace for mankind can be achieved.

It would be wrong to make too much of this agreement. But, even more, it would be wrong to make too little of it. A step, however, small, in the direction of preserving a world fit for human habitation is an immense stride in the history of human civilization.



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Senate

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

O Thou God of grace and glory, when with each new day Thou dost spread the mantle of light about us as purple morning breaketh, fairer than morning, lovelier than daylight, dawns the sweet consciousness we are with Thee.

We would yield our flickering torch to the flame of Thy redeeming love, facing whatever the day may bring, sustained by a faith that will not shrink, though pressed by every foe.

Strengthen us, we pray, to carry our share of the burden of mankind's climb to the kingdom of Thy glory, and to the radiant realm where Thy will shall be done in the Nation and in all the earth. Toward that shining goal our puny mortal strength is unequal to the tests and tasks of the decisive days which are upon us. We dare not trust our own devices and counsels. Because Thy completeness flows around our incompleteness, from the lowly earth where our weary feet so often stumble and falter, may the exultant notes of our faith and hope rise like the lark on morning wing, singing its song at heaven's gate.

For Thine is the kingdom and the power and the glory, forever and ever. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, July 30, 1963, was dispensed with.

LIMITATION OF STATEMENTS DURING MORNING HOUR

On request of Mr. MANSFIELD, and by unanimous consent, statements during the morning hour were ordered limited to 3 minutes.

NOTICE OF OBJECTION TO COMMITTEE MEETINGS DURING SENATE SESSION

Mr. JOHNSTON. Mr. President, knowing some very important subjects

will be before the Senate today for discussion, every Senator should be in a position to be in attendance instead of being present at some committee meeting. For that reason, with one exception, I object to any committee meeting today while the Senate is in session. I understand that the committee headed by the Senator from Arkansas [Mr. McCLELLAN] is desirous of concluding, or at least continuing, with a hearing today. That committee is excepted from my request.

COMMITTEE MEETING DURING SENATE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Committee on Government Operations was authorized to meet during the session of the Senate today.

THE NUCLEAR TEST BAN TREATY

Mr. MANSFIELD. Mr. President, there have been inferences in the press to the effect that political partisanship may be motivating the distinguished minority leader [Mr. DIRKSEN] and the chairman of the Republican policy committee, the ranking minority member of the Foreign Relations Committee and the Joint Atomic Energy Committee [Mr. HICKENLOOPER] in their attitudes toward the nuclear test treaty.

It is most disturbing to me, Mr. President, to witness this effort to fan the flames of partisanship on a matter of such urgent and overriding national importance. I must reject any such inference insofar as it involves the minority leader [Mr. DIRKSEN] or the distinguished Senator from Iowa [Mr. HICKENLOOPER] or, for that matter, any other Senator—Republican or Democrat.

Both are men of the highest patriotism, and have shown time and again a mature and unqualified capacity to place the national interest in foreign relations above partisan consideration. They have consistently supported the main body of American policy through several administrations—administrations of both parties.

Their attitude is entirely in order. It is their responsibility as Senators—not as Republicans—in positions of great

responsibility to be most prudent and careful in the consideration of this proposed treaty. And may I say that the same applies to the majority leader and the rest of the leadership on this side of the aisle.

It would have been, indeed, inappropriate at this time for the Senator from Illinois, no less than the Senator from Montana, to have gone to Moscow for the ceremony of signing the treaty.

There is a great backlog of legislation in process in the Senate at this time, highly important legislation to the Nation in many fields; and both the minority leader and the majority leader must continue to try, as we have been trying, to bring this legislation to the point of decision in the Senate.

As it is, an exceptionally appropriate bipartisan group will go to Moscow from the Senate—not necessarily to approve, but to represent the Senate for the signing. That is as it should be, for an occasion which involves the constitutional responsibility of the Senate to advise and consent with respect to treaty ratification. The Senators who are going—the distinguished chairman of the Foreign Relations Committee [Mr. FULBRIGHT]; the Senator from Minnesota [Mr. HUMPHREY], the deputy majority leader, whose name has long been associated with this effort; the Senator from Rhode Island [Mr. PASTORE], who as chairman of the Joint Committee on Atomic Energy has great knowledge of the subject matter of the treaty; the distinguished Senator from Vermont [Mr. Aiken], the senior Republican in this body, wise with a long experience in the Senate and in foreign relations and atomic energy; and the Senator from Massachusetts [Mr. SALTONSTALL], ranking Republican of the Armed Services and Appropriations Committees—this group of Senators who are going, Mr. President, is admirably equipped to represent the Senate with dignity and wisdom on this highly significant occasion of worldwide significance.

This bipartisan group, Mr. President, of which I personally am extremely proud of, is in keeping with the spirit of bipartisanship which has guided the policy of the United States from the outset on the matter of nuclear testing. In a matter which involves the safety of

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the Nation and the health of our people, and particularly our children, there is no room for partisanship. Certainly a treaty which would seek to prevent precisely those nuclear explosions which are most contaminative of our physical environment can be regarded as such a matter. Certainly, too, this proposed treaty has implications for the safety of the Nation.

I do not prejudge, Mr. President, the Senate's action with regard to the treaty. But the records of the distinguished minority leader [Mr. DIRKSEN], and of the Senator from Iowa [Mr. HICKEN-LOOPER] in matters of this kind, as I have noted, offer great assurance that the question of the treaty will be examined in terms of the highest national interest and free of partisanship.

Moreover, Mr. President, both parties in the campaign of 1960 adopted positions clearly in line with what has now been achieved in the initiated treaty to end nuclear testing. I must say, in all honesty, that the Republican platform is clearer on this point than the Democratic platform. But I am sure that this is primarily a matter of draftsmanship, and is not indicative in any way of a lesser desire on the part of Democrats to bring about an end to these dangerous tests. Democrats as a whole are just as concerned as Republicans when the safety and health of the Nation are at stake. In any event, Mr. President, I read into the RECORD at this point the reference to nuclear testing in the Republican and Democratic platforms of 1960.

The Democratic platform, 1960, section II, under the heading "Arms Control," states:

A primary task is to develop responsible proposals that will help break the deadlock on arms control.

Such proposals should include means for ending nuclear tests under workable safeguards, cutting back nuclear weapons, reducing conventional forces, preserving outer space for peaceful purposes, preventing surprise attack and limiting the risk of accidental war.

The Republican platform, 1960, under the heading "Foreign Policy," states:

We are similarly ready to negotiate and to institute realistic methods and safeguards for disarmament and for the suspension of nuclear tests. We advocate an early agreement by all nations to forego nuclear tests in the atmosphere, and the suspension of other tests as verification techniques permit. We support the President in any decision he may make to reevaluate the question of resumption of underground nuclear explosions testing, if the Geneva Conference fails to produce a satisfactory agreement. We have deep concern about the mounting nuclear arms race. This concern leads us to seek disarmament and nuclear agreements. And an equal concern to protect all people from nuclear danger leads us to insist that such agreements have adequate safeguards.

Again I say that I am extremely proud of the bipartisan group which has been selected to represent this body and this country at Moscow. I do not believe that under any circumstances a more capable group, or men of greater integrity and patriotism, could have been selected.

Mr. DIRKSEN. Mr. President, I appreciate the generous statement by the distinguished majority leader [Mr. MANSFIELD]. I need no defense for my conduct. I have always been willing to assume full responsibility for what I say and do. Under the Constitution the Senate has the duty and responsibility to advise and consent to a treaty. That action must constitute an independent judgment, and that judgment I will render under my oath, according to my conscience, and within the limit of my perception as I can bring it to bear.

I recall that once a President sought assistance in building up support for a League of Nations. Members of my party followed him throughout the country. He returned from that tour a broken and dejected man. It always hurt me to think that happened to a great scholar who was then the President of the United States—Woodrow Wilson.

For myself I try never to embarrass the President of the United States. I shall always bend over backward to make certain that he is not projected into any awkward situation.

Ten days ago I went to the Press Gallery of this body. The question was asked whether I had been invited to go to Moscow. The answer was that I had not been invited, directly or indirectly, remotely or otherwise, by anyone, anywhere, at any time.

Second, I stated that if I were invited, I would not go. I made that statement publicly on a number of occasions. In so doing, I closed the door for myself and for anyone else who might undertake to invite me. I will never embarrass anyone. I made that abundantly clear. Not the least, of course, of the considerations that entered into that decision is the fact that we are beset with so much work. I did not feel that I could take time off and go to Moscow for that purpose, since the occasion was a ceremony of signing, and no negotiation was involved.

I am deeply grateful to my distinguished friend from Montana for the generous statement that he made on the floor of the Senate. Beyond that, I know of nothing I need say. I have neither encouraged nor discouraged any Member of this body from taking that trip if he were invited to go. Every Senator has equal prerogatives. I do not feel that it is either my responsibility or my prerogative to undertake to tell other Members of this distinguished body what they should do under those circumstances. So I leave the case there.

Mr. AIKEN. Mr. President, last night the President of the United States asked me to go to Moscow as a representative of the United States in the final ceremony preliminary to the signing of the test-ban treaty. Of the 100 Members of the Senate, I do not believe there is anyone who dislikes the thought of a foreign trip any more than I do. But when the President of the United States asked me to take the trip in the interest of the United States, I did not think I had any right to fold my hands and tell him that I did not want to go, and that I am not going.

Mr. President, when any program is initiated that looks toward the easing of tension throughout the world, and has for its purpose the averting of a war throughout the world, even though such program offers only a faint hope—and in my opinion that is what the proposed test-ban treaty does—I do not think I have any right to say that I am not interested in any effort for peace in the world regardless of whether it promises immediate and early success or not.

Mr. President, as one Member of this body who was asked to go to Moscow I can say that I have not been asked to commit myself in any way. I understand that no Member of the Senate will be asked to sign the treaty. I agree that Congress should examine every line of the document when it is submitted to us for our approval or disapproval. It is proper that we should weigh the benefits of approval against any possible disadvantages or risks which we may run. It is probable that we may have to weigh our hopes against our fears. I have heard it said that Congress ought not to be represented at this meeting because Congress did not participate in writing the treaty. May I say that many Members of the Congress were shown the treaty 10 days ago—a week ago last Monday. I have examined it closely. I have read and reread it from end to end and from the middle towards both ends. I know that probably half the Members of the Senate have had the same opportunity that I have had.

I do not believe it is a proper function of the legislative branch of Government to write treaties. It is our function to approve or to disapprove them after they have been prepared by the executive branch of the Government.

In this case I must say that the executive branch of the Government did seek the approval of three committees of the Congress before finally authorizing the initialing of the treaty a week ago.

My position now is that, unless I am shown more evidence than has appeared to date that the treaty will be disadvantageous to the United States, I expect to support its approval when it comes before the Senate for a vote. I reserve the right to vote as I believe proper when the time comes and after full hearings have been held.

The VICE PRESIDENT. The time of the Senator from Vermont has expired.

Mr. AIKEN. My speech has expired, too.

Mr. JAVITS. Mr. President, if I may say only a word about what has been transpiring, as one Republican Senator I am very pleased that the Senator from Vermont [Mr. AIKEN] and the Senator from Massachusetts [Mr. SALTONSTALL] have consented to serve on this delegation. I understand fully the reservations which my distinguished and beloved colleagues have made.

I never thought that there was any implication in a Senator's going that he would necessarily vote for a treaty. I have thought that it represented merely a visual demonstration of the fact that in the great affairs which face our Nation the parties grasp hands in terms of fundamental purpose, and certify that

been appointed Ambassador to the Republic of Vietnam. His past experience, derived from his service in the Senate and as chief delegate of the United States to the United Nations, his qualities as an administrator, his qualities of mind, and his decisiveness in thought and action, will be needed in his newest appointment.

I know that in these troublous times Ambassador Lodge will faithfully serve the interests of the United States. We who served with him in the Senate remember his qualities as a Member of this body. Since that time, we have observed his career with admiration. We are glad that he has been appointed to this high, though difficult, position. Above all, his service in Vietnam will be of great value to our country.

IMPLICATIONS OF PROPOSED NUCLEAR TEST-BAN TREATY REGARDING RECOGNITION OF EAST GERMANY

Mr. MANSFIELD. Madam President, questions have been raised by Members of this body, in the press, and in West Germany as to the implications of the proposed nuclear test-ban treaty for the question of recognition of East Germany.

It is, as the Senate knows, the policy of this Government and our Western European allies not to extend formal recognition to the East German Government. This does not mean, of course, that there are no contacts with East Germany. West Germans, for example, are in substantial contact with East German officials, largely in connection with the trade between the two zones, which amounts to several hundred million dollars a year, and with travel of Germans between the zones. In the course of this contact, Madam President, countless documents are signed by both West and East Germans; or are stamped by East German officials, although this in no way constitutes recognition by the West German Government of the East German regime. Similarly, Madam President, Americans and Western Europeans have frequent contact with East German officials. Obviously, in this contact, we recognize that these East German officials exist. If we did not, we would bump into them at the checkpoints at the border. But this in no way constitutes recognition of East Germany in a formal legal sense.

I should also point out that under President Eisenhower and Secretary John Foster Dulles and now under President Kennedy and Secretary Dean Rusk numerous conversations have been carried on, first by a special U.S. official representative in Geneva, and later by our Ambassador to Poland with his Chinese counterpart, seeking to bring about a solution of certain specific, practical problems between Peking and ourselves. Indeed, both the Chinese Communist representative and those of the United States signed the Geneva agreement on Laos. One may raise questions about the effectiveness of this agreement but I do not think anyone has raised the question that the two signatures among

many on the agreement constituted recognition by one nation of the other.

What this suggests, then, Madam President, is that the real question which apparently exists in the minds of Members of the Senate, West German officials, and the press is whether or not East German adherence to the Treaty would represent formal, legal recognition under International Law or, in truth, a change of U.S. policy on the German question. It seems to me, Madam President, that at his press conference yesterday, President Kennedy gave a full, reasoned and unequivocal answer in the negative to this question. It should serve to set at rest any reasonable doubts which may exist on this score. And in any event, further clarification could be forthcoming, if necessary, during the hearings on the proposed treaty. But I do think that there are so many real and relevant questions which we must resolve in this process of ratification that we ought to be most careful about precipitate assumptions or snap judgments which will sidetrack us from the thorough examination which must be made.

Madam President, I ask unanimous consent that the section of the transcript of the President's press conference on yesterday which refers to this point be printed at this point in the RECORD. Also, Madam President, I ask unanimous consent to have printed at this point an extremely well balanced and well reasoned editorial on this subject from the Baltimore Sun of August 2, 1963.

There being no objection, the section of the transcript and the editorial are ordered to be printed in the RECORD, as follows:

EXCERPT OF TRANSCRIPT OF PRESIDENT'S PRESS CONFERENCE

Question. Senator DIRKSEN and some West German officials have expressed concern that if the nuclear test ban is signed amongst others by this Government, by the Federal Republic of Germany and by the East German regime, that this will amount to a tacit recognition of East Germany. What is your thinking on this point?

Answer. Well, that's not correct. This matter was discussed and the position of the United States and Britain was made very clear to the Soviet Union and, as a matter of fact, the Soviet Union mentioned a regime which it did not recognize and did not wish to recognize.

So that a procedure was developed whereby a regime which is not recognized by one of the other parties to the treaty can file its dissent with one of the three parties. This act would not constitute recognition by the remaining signatories.

The fact of the matter is that we signed a part of a multilateral treaty on Laos. The Red Chinese also signed. But we do not recognize the Red Chinese regime.

This is a matter of intent. Diplomatic procedure, custom, law, provides that recognition is a matter of intent. We do not intend to recognize the East German regime. And therefore the language which is in the treaty, was part of the treaty when it was tabled more than a year ago, it's been in force for a year, does not provide for recognition of East Germany; we will not recognize it.

We believe strongly in the unification of Germany as a free, democratic country. And that is our policy in the past, our present

policy and our future policy, and would not be affected by this test ban agreement.

I do think that it's important that we have as great a participation in this nuclear test ban agreement as possible. We have received no encouragement, but we'd like the Red Chinese to come into the agreement. It looks like they will not—but it would obviously be in the interests of world peace.

But that does not constitute recognition.

[From the Baltimore (Md.) Sun, Aug. 2, 1963]

TREATY SIGNERS

The decision by Walter Ulbricht, boss of Communist East Germany, to accede to the terms of the nuclear test-ban treaty recently negotiated in Moscow has set off far more excitement than his announcement warrants. In the United States a sour chorus is proclaiming that the United States has been tricked into back-door recognition of Ulbricht's puppet government. West Germany, which a week ago had welcomed the agreement as a step toward disarmament, now is beating a retreat. Bonn's zeal in boycotting any endeavor—political, social, or athletic—which carries the faintest trace of accepting the division of Germany is almost obsessive. Too often, Bonn policy is formulated as a reaction to Pankow, and Ulbricht assumes an importance he would not have if he were ignored altogether.

Under the terms of the Moscow draft the test-ban treaty "shall be open to all states for signature." Ulbricht can accept its terms simply by depositing "instruments of accession" with Moscow. The United States has made it clear repeatedly in the last decade that it does not recognize East Germany. It can make it clear on this occasion that Pankow's acceptance of the treaty does not imply American acceptance of Pankow. Indeed, President Kennedy made it fully clear yesterday in his press conference.

There is ample precedent; with Albania the United States is a cosigner of the United Nations Charter, but it does not recognize Albania and there is no assumption that it does; at Geneva the United States signed an Indochina agreement to which Red China was a party, but there has been no consequent acceptance of Peking. And if Nationalist China filed documents of accession to the test ban in Washington, there is little likelihood that the atmosphere between Chiang and Moscow would be altered (and little possibility that the capitalists would be credited with tricking Khrushchev).

While these nuances have significance to the diplomats, the cardinal issue here is whether the treaty, imperfect as it is, has any value. There is no magic in it, no cure-all for the ills of the world. Time undoubtedly will uncover loopholes and surely will test good faith. At this crucial point in history, however, it is the best that contending nations have been able to produce. It simply binds the nations not to carry out or to participate in nuclear experiments in the air, in outer space, or under water. That pledge and its significance should get the attention—not whether the second-round signers are worthy of holding the pen.